

g/g

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/409,986	NAIM ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Charles R Craver	2682	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to AF AMDT filed 7-2-04.
2. ☒ The allowed claim(s) is/are 1 and 4-24.
3. ☒ The drawings filed on 30 September 1999 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

### **EXAMINER'S AMENDMENT AND REASONS FOR ALLOWANCE**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ralph Dowell on 10-28-04.

The application has been amended as follows:

In claim 24, line 6, replace "wireless station" with --of said plurality of wireless base stations--.

In claim 24, line 8, replace "wireless stations" with --plurality of wireless base stations--.

In claim 24, line 10, replace "wireless stations" with --plurality of wireless base stations--.

In claim 24, line 13, insert --base-- between "wireless" and "station" with --plurality of wireless base stations--.

In claim 24, line 14, replace "wireless stations" (first instance) with --plurality of wireless base stations--.

In claim 24, line 14, insert --base-- between "wireless" and "station" (second instance).

***Allowable Subject Matter***

Claims 1 and 4-24 are allowed and have been renumbered.

The following is an examiner's statement of reasons for allowance:

Claims 1 and 24 teach towards a method and system for prioritizing access to a system by competing radio stations, said priority being based on the length of expected communications and the amount of time since the stations's last transmit opportunity, wherein further the system causes the station to compete with one another for a communication opportunity, and wherein the stations are wireless base stations.

Claims 6 and 7 teach towards a method for prioritizing access to a system by competing radio stations, said priority being based on the length of expected communications and the amount of time since the stations=s last transmit opportunity, wherein further the priority is based on how long until a timeout will occur for that station. Claim 8 teaches that the priority is an increasing function of delay and a decreasing function of transaction length. Claim 9 teaches that the priority is also an increasing function of wireless station priority. Claim 10 further teaches that the priority is also a decreasing function of said timeout.

Claim 13 teaches towards a method for prioritizing access to a system by competing radio stations, said priority being based on the length of expected communications and the amount of time since the stations=s last transmit opportunity, wherein further selection of the group of stations to compete includes, on the basis of the stations's rate, determining the next opportunity that the station should compete for, and selecting the group from among those that should compete.

Claim 14 teaches towards a method for prioritizing access to a system by competing radio stations, said priority being based on the length of expected communications and the amount of time since the stations=s last transmit opportunity, wherein further transmit units for the station are queued in a high or low priority queue, and the group of stations to compete are selected among those whose units are in the high priority queue, and if there are none, selecting among the low priority queue.

Claim 15 teaches towards a method for prioritizing access to a system by competing radio stations, said priority being based on the length of expected communications and the amount of time since the stations=s last transmit opportunity, wherein further the priority is calculated according to a specific formula  $P = -1 (dFr + a)$ , highest  $(dFr = a)$ ,  $(dFr/trSize)(1 + [(1/a - dFr) - (1/a)]\%) + MSPriority (dFr, a)$ .

Claim 16 teaches towards a method for prioritizing access to a system by competing radio stations, said priority being based on the length of expected communications and the amount of time since the stations=s last transmit opportunity, wherein further the access to the system is via time slots, and a timeout value is set for each station, and if a timeout value is reserved, resetting the timeout to occur at a slot available for allocation before the reserved slot. Claim 17 teaches periodically reserving transmit opportunities for contention access by noncompeting stations those reserved opportunities being unavailable for allocation to competing stations.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

Art Unit: 2682

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**Or faxed to:**

(703) 872-9306 for both formal and informal/draft communications, labeled as such.

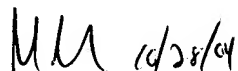
Hand delivered responses should be brought to Crystal Plaza II, 200 South 20<sup>th</sup> St, Lobby, Room 1B03, Arlington VA.

Any inquiry concerning this or earlier communications from the examiner should be directed to examiner Charles Craver at (703) 305-3965.

If attempts to reach the examiner are unsuccessful, the examiner's supervisor, Vivian Chin, can be reached at (703) 308-6739.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist at (703) 305-4700.

CC

  
CHARLES CRAVER  
PRIMARY EXAMINER

C.Craver

October 28, 2004